

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
IN CLERK'S OFFICE  
MAY 14 2005

----- X  
FLORICA FERSEDY,

Plaintiff,

-against-

NEW YORK CITY HEALTH AND HOSPITALS  
CORPORATION, PROTECTIVE SERVICES FOR  
ADULTS; NEW YORK CITY POLICE DEPARTMENT;  
DR. MARTHA LINK; ANDREA BOONE, Social  
Worker, SGT. CYNTHIA SHEPPY; and P.O. ROBERT  
McDONALD,

Defendants.  
-----

ROSS, United States District Judge:

01 CV 6484 (ARR)

NOT FOR  
ELECTRONIC OR  
PRINT PUBLICATION

OPINION AND ORDER

I have received the Report and Recommendation on the instant case dated May 20, 2005 from the Honorable Lois Bloom, United States Magistrate Judge. No objection has been made to Magistrate Judge Bloom's report. Having conducted a de novo review of the record, I hereby adopt the Report and Recommendation as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).<sup>1</sup> Accordingly, the court dismisses plaintiff's case with prejudice.

---

<sup>1</sup>As recounted in Judge Bloom's report, plaintiff has failed to appear for court-ordered conferences and depositions on several occasions. The court notes that plaintiff was notified, by order dated April 21, 2005, that failure to appear for her scheduled May 2, 2005 deposition would result in the dismissal of her case with prejudice. The court sent plaintiff a copy of that order by overnight delivery on April 21, 2005. For plaintiff's reference, a copy of the airbill for the April 21, 2005 mailing is attached. Also attached is a record from Federal Express indicating delivery on April 22, 2005.

C/M

The Clerk of the Court is directed to enter judgment accordingly.

SO ORDERED.

---

Allyne R. Ross  
United States District Judge

Dated: June 9, 2005  
Brooklyn, New York

The Clerk of the Court is directed to enter judgment accordingly.

SO ORDERED.

---

Allyne R. Ross  
United States District Judge

Dated: June 7, 2005  
Brooklyn, New York

SERVICE LIST:

Plaintiff *Pro Se*

Florica Fersedy

32-49 37<sup>th</sup> St.

Astoria, NY 11103

Attorney for Defendants

Leah Bynon

Assistant Corporation Counsel

New York City Law Department

100 Church St.

New York, NY 10007

**cc: Magistrate Judge Lois Bloom**



US Airbill

FedEx Tracking Number

8507 6632 0102

1 From Please print and press hard

Date 4/21/05

Sender's FedEx Account Number

1506-2096-1

Sender's Name

Len Kamdany

Phone ( 718 ) 260-4590

Company US DISTRICT COURT

Address 225 CADMAN PLZ E RM 130

City BROOKLYN

State NY

ZIP 11201-1818

2 Your Internal Billing Reference

3 To

Recipient's Name Florida Persedy

Phone ( )

Company

Recipient's Address 32-49 37th Street

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address

To request a package be held at a specific FedEx location, print FedEx address here.

City Astoria

State NY

ZIP 11103



Questions? Visit our Web site at fedex.com or call 1.800.GoFedEx.1.800.463.3339.

0298933174

8 Sign to Authorize Delivery Without a Signature

By signing this Airbill you agree to the service conditions on the back of this Airbill and in our current Service Guide, including terms that limit our liability.

466



4a Express Package Service

☐ FedEx Priority Overnight Next business morning

☒ FedEx Standard Overnight Earliest next business morning delivery to select locations\*

☐ FedEx 2Day Second business day\*

☐ FedEx Express Saver Third business day\*

\* Call for Confirmation. FedEx Envelope rate not available. Minimum charge One pound rate.

4b Express Freight Service

☐ FedEx 1Day Freight\* Next business day\*

☐ FedEx 2Day Freight Second business day\*

☐ FedEx 3Day Freight Third business day\*

\* Call for Confirmation.

5 Packaging

☒ FedEx Envelope\*

☐ FedEx Pak\* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak

☐ FedEx Box

☐ FedEx Tube

6 Special Handling

☐ SATURDAY Delivery Available (RM)

☐ HOLD Weekday at FedEx Location

☐ HOLD Saturday at FedEx Location

Does this shipment contain dangerous goods?

☒ No

☐ Yes

☐ Dry Ice Dry Ice 8, UN 1845

Dangerous goods (including Dry Ice) cannot be shipped in FedEx packaging.

☐ Cargo Aircraft Only

7 Payment Bill to:

☒ Sender Bill Me in Section 1

☐ Recipient

☐ Third Party

☐ Credit Card

☐ Cash/Check

FedEx Acct. No.

Credit Card No.

Total Packages

Total Weight

Total Declared Value\*

Exp. Date

\*Our liability is limited to \$100 unless you declare a higher value. See back for details.

FedEx Use Only

Track Shipments  
Detailed Results[? Quick Help](#)

<b>Tracking number</b>	850766320102	<b>Delivered to</b>	Residence
<b>Signed for by</b>	Signature release on file	<b>Service type</b>	Standard Envelope
<b>Ship date</b>	Apr 21, 2005		
<b>Delivery date</b>	Apr 22, 2005 10:57 AM		
<b>Status</b>	Delivered		

Date/Time	Activity	Location	Details
Apr 22, 2005	10:57 AM	Delivered	No signature required - release waiver on file
	8:21 AM	On FedEx vehicle for delivery	MASPETH, NY
	7:19 AM	At dest sort facility	JAMAICA, NY
	7:18 AM	At local FedEx facility	MASPETH, NY
Apr 21, 2005	4:17 AM	Departed FedEx location	NEWARK, NJ
	10:43 PM	Arrived at FedEx location	NEWARK, NJ
	9:33 PM	Left origin	BROOKLYN, NY
	7:32 PM	Picked up	BROOKLYN, NY

[Signature proof](#)[Track more shipments](#)**Email your detailed tracking results (optional)**

Enter your email, submit up to three email addresses (separated by commas), add your message (optional), and click **Send email**.

From

To

Add a message to this email.

[Send email](#)